

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**GABRIEL HENDERSON**

**PLAINTIFF**

**V.**

**CAUSE NO. 3:24-cv-00797-KHJ-MTP**

**WAFFLE HOUSE, INC.**

**DEFENDANT**

**JURY TRIAL DEMANDED**

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**COMPLAINT**

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This is an action to recover actual and punitive damages for discrimination based upon gender. The following facts support the action:

1.

Plaintiff GABRIEL HENDERSON is an adult resident citizen of 1355 North Jefferson Street, Jackson, Mississippi 39202.

2.

Defendant WAFFLE HOUSE, INC. is a non-Mississippi corporation doing business in the State of Mississippi. Defendant may be served with process through its registered agent, Corporation Service Company, 109 Executive Drive, Suite 3, Madison, Mississippi 39110. Defendant is sued due to occurrences at its business address located at 6931 Old Canton Road, Ridgeland, Mississippi 39157. Defendant's location is in the Southern District of Mississippi, where this cause of action arose.

3.

This Court has federal question jurisdiction under 28 U.S.C. § 1331, and civil rights jurisdiction under 28 U.S.C. § 1343, and diversity jurisdiction under 28 U.S.C. § 1332.

4.

Plaintiff was employed by Defendant for approximately ten (10) months as a store manager at Defendant's Ridgeland location on Old Canton Road, Ridgeland, Mississippi. Plaintiff did a good job as store manager and was promoted to district manager.

5.

As district manager, Plaintiff had the authority to control the work hours of employees. There were several poorly performing employees. As a disciplinary means, Plaintiff temporarily reduced the hours of the poorly performing employees.

6.

The disciplined employees retaliated against Plaintiff by fabricating claims of sexual harassment. Defendant failed to make a reasonable investigation or it would have known that the claims of sexual harassment were baseless. It was physically impossible for Plaintiff to have sexually harassed the employees because the workplace is always occupied by several employees. Plaintiff was never alone with the complaining employees. There would have been no occasion where he could have sexually harassed them. A reasonable investigation would have disclosed Plaintiff has never sexually harassed any employee.

7.

Plaintiff has learned that a district manager, whom Plaintiff had replaced as district manager, apparently aided, and possibly conspired, with the lower-level employees to fabricate the charges against Plaintiff. This district manager was upset because Plaintiff had replaced her.

8.

Defendant assumed the charges were true because Plaintiff was male and the employees making the charges were female. Based on the fabricated claims which Defendant may have known were false, it fired Plaintiff.

9.

Defendant engaged in gender discrimination prohibited by Title VII of the Civil Rights Act of 1964, blindly accepting the word of the lying female employees and terminating Plaintiff. Terminating Plaintiff was based upon his sex (male). Because Plaintiff is male, Defendant assumed the charges of sexual harassment were true, without evidence, and terminated Plaintiff.

10.

Plaintiff has filed an EEOC charge, attached hereto as Exhibit "A," and received the right to sue letter, attached hereto as Exhibit "B."

11.

Plaintiff has suffered lost income, mental anxiety, and stress due to Defendant's actions.

### **REQUEST FOR RELIEF**

Plaintiff requests actual and punitive damages in the amount to be determined by a jury, reinstatement, and reasonable attorneys' fees and costs.

RESPECTFULLY SUBMITTED, this the 16th day of December, 2024.

GABRIEL HENDERSON, Plaintiff

By: /s/ **JIM WAIDE**  
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ATTORNEYS FOR PLAINTIFF

STATE OF MISSISSIPPI

COUNTY OF Hinds

PERSONALLY came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named GABRIEL HENDERSON, who, after being first duly sworn, states under oath that the facts contained in the above and foregoing COMPLAINT are true and correct as stated therein.

Gabriel Henderson  
GABRIEL HENDERSON

GIVEN under my hand and official seal of office on this the 13 day of December, 2024.

(SEAL)



[Signature]  
NOTARY PUBLIC

My Commission Expires: 10/15/2025